

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LANCE CHARLTON DRISKELL,

Plaintiff,

CIVIL CASE NO. 04-40224

v.

GENERAL MOTORS CORP., et al.,

Defendants.

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION

Plaintiff filed the instant hybrid action alleging breach of contract on the part of his employer, Defendant General Motors Corp. ("GM"), and a breach of the duty of fair representation on the part of his union, Defendant UAW. The Court granted Defendants' motion for summary judgment on December 20, 2005. Before the Court is Defendant GM's motion for Rule 11 sanctions seeking attorney fees and costs expended to defend the suit, and the Report and Recommendation of United States Magistrate Judge Donald A. Scheer. The Magistrate Judge recommends that Defendant's motion be granted, and that the Court enter an Order requiring both Plaintiff and Plaintiff's counsel to each pay GM the sum of \$9,426.12.

Having conducted a de novo review of the Report and Recommendation, Defendant's motion, and the applicable portions of the record, **IT IS HEREBY ORDERED** that the Report and Recommendation [docket entry 34] is **ACCEPTED** and **ADOPTED** as the opinion of this Court, and Defendant GM's motion for Rule 11 sanctions [docket entry 21] is **GRANTED**. Both Plaintiff Driskell and Plaintiff's counsel are each required to pay Defendant GM the sum of \$9,426.12.

SO ORDERED.

Dated: March 31, 2006

s/Paul V. Gadola

HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on April 3, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Alex L. Alexopoulos; Mark D. Filak; Lisa M. Smith, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Harrell Milhouse.

s/Ruth A. Brissaud

Ruth A. Brissaud, Case Manager

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